

Draft Initial Study and Draft Negative Declaration on the Proposed Delisting of the American peregrine falcon (*Falco peregrinus anatum*) (L.A. Comrack 12/31/08; rev 2/27/09)

1. Description of the Project

A. Proposed Action

The “project” addressed by this Initial Study is the proposed delisting of the American peregrine falcon (*Falco peregrinus anatum*) under provisions of the California Endangered Species Act (CESA). The project requires action and the adoption of findings by the California Fish and Game Commission (Commission) relative to the proposed delisting. The Commission may also indicate support for recommendations for management and agency coordination as identified in the California Department of Fish and Game’s (CDFG) status review of the American peregrine falcon in California (Comrack and Logsdon 2008).

Recent events leading to the consideration of the proposed action are summarized below:

May 4, 2007 - The Commission received a petition from Mr. Gary R. Alten, private citizen, requesting the American peregrine falcon be delisted under provisions of CESA.

September 11, 2007 - The CDFG issued a petition evaluation report, finding that the information contained in the petition was sufficient to indicate that the petitioned action may be warranted and recommended that the Commission accept the petition.

October 11, 2007 - The Commission received the petition evaluation report, recommendation, and public testimony. The petition was accepted by the Commission.

November 2, 2007 - Notice of Findings was published in the California Regulatory Notice Register, thereby initiating a one-year period of candidacy for delisting for the American peregrine falcon.

October 22, 2008 - The Commission received a memorandum and report on the status of the American peregrine falcon in California (Comrack and Logsdon 2008) from CDFG Director Donald Koch. These documents detail the scientific and regulatory information that led to the CDFG's recommendation to delist the American peregrine falcon as well as provide management recommendations following a delisting action.

December 12, 2008 - The Commission received CDFG’s status review of the American peregrine falcon and public testimony related to the petition and the CDFG report. The Commission voted to delist the American peregrine falcon from CESA.

As recommended by CDFG and approved by the Commission, the action associated with this project is removing the American peregrine falcon from the California list of endangered species. CDFG, in its status review, also made recommendations regarding management, conservation, and periodic monitoring for the species following delisting.

B. Location of Proposed Action

The Proposed Action, as petitioned by Mr. Gary R. Alten, recommended by the CDFG to the Commission, and approved by the Commission would encompass the known range of the American peregrine falcon in California (Figure 1), including breeding, wintering and migratory locations. This includes the length and breadth of the state excluding the arid southeast and northeast corner.

2. Environmental Setting

The physical setting of the project includes the breeding and non-breeding (i.e. wintering and migratory) range of the American peregrine falcon in California as noted in Section 1.B above and Figure 1. California's coastal zone is particularly important to the breeding population. Essentially, the environmental setting applicable to the peregrine falcon is statewide, excluding the arid southeastern portion of the state and the northeast corner; it is described in detail in Comrack and Logsdon (2008:8-11) which serves as the primary source for information presented below.

“Cliffs and bluffs with high ledges that contain loose substrate for scraping and which are situated near an abundant food source are essential components of peregrine breeding habitat in California. Ledges and perches of varying heights are not only used for the actual placement of the nest and for hunting but are also critical for breeding rituals, behavioral displays, and self-maintenance such as sunning (White et al. 2002). Features offering predator protection, such as overhangs and sufficient height above the reach of ground predators, limit suitable ledge availability and selection (Wrightman and Fuller 2005). In all seasons, coastal and inland wetlands supporting an abundance of prey species are important to foraging peregrines.”

If delisted under CESA, the American peregrine falcon will continue to be a “fully protected species,” under Fish and Game Code (FGC) section 3511. Therefore, whether or not the species is listed pursuant to CESA, the legal prohibition on “take” of the species, as defined in FGC section 86, will remain in effect. FGC section 86 defines “take” to mean “hunt, pursue, catch, capture, or kill, or attempt to hunt, pursue, catch, capture, or kill.” Additionally, the American peregrine falcon would continue to be protected under the federal Migratory Bird Treaty Act (16 U.S.C. section 704).

3. Environmental Effects Checklist

The attached Environmental Checklist covers all Initial Study topics as set forth in Appendix G of the California Environmental Quality Act (CEQA) Guidelines plus an additional section related to “Climate Change”. It includes the CDFG determination with respect to potential environmental impacts from the proposed delisting.

4. Recommendations for Future Management

Specific management and conservation recommendations are described in the CDFG status review (Comrack and Logsdon 2008:25-26). Some of these recommendations are implemented as a matter of existing law; others are recommendations that can be implemented directly by CDFG or in coordination with other agencies. Specifically, the recommendations include the following actions:

- A. Continue monitoring efforts and contaminant analyses which should include levels of DDE and HEOD; heavy metals (mercury, lead, and cadmium) and emerging contaminants issues should be monitored as needed. Eggshell thickness should also be analyzed;
- B. Monitor mortalities resulting from collisions with electrical power lines and towers. Determine the degree to which these mortalities contribute to general mortality trends and evaluate the efficacy of current guidelines and regulations;
- C. Improve regulation and education programs regarding human disturbances of falcon nests in natural habitats;
- D. Implement Southern California Bight peregrine falcon restoration suggestions under consideration by the Montrose Settlement Restoration Program Trustees (NOAA 2004);
- E. Implement population monitoring studies in California to supplement the larger-scale post-recovery Service monitoring plan for the Pacific Region (USFWS 2003). These should include contaminant analyses as described above and should be performed periodically through 2025;
- F. Implement management programs that directly restore, acquire, or regulate specifically defined habitat areas suitable for peregrine territories (in addition to those being considered by the Montrose Settlement Restoration Program);
- G. Habitat improvements and manipulations should be continued to provide nesting structures with predator-protection characteristics and safe placement of alternate nesting sites (e.g., safe for fledglings practicing flight; White et al. 2002); and,
- H. Minimize conflicts between peregrines and other sensitive species by developing and implementing site-specific predator management plans.

5. Compatibility with Existing Zoning and Plans

The proposed project would have no direct or indirect effect on local general plans, local coastal plans or zoning.

6. Preparers

This Initial Study was prepared by CDFG with input and assistance from Mr. Gary R. Alten, Ms. Janet Linthicum, Mr. Glenn Stewart, and Mr. Carl Thelander.

ENVIRONMENTAL CHECKLIST FORM

1. Project title: Delisting of the American peregrine falcon.
2. Lead agency name and address: California Fish and Game Commission, 1416 Ninth Street, Sacramento, CA 95814.
3. Contact person and phone number: Dr. Eric Loft, Chief, Wildlife Branch, Department of Fish and Game, 1812 Ninth Street, Sacramento, CA 95811, eloft@dfg.ca.gov, (916) 445-3555.
4. Project location: Known range of American peregrine falcon including breeding, wintering, and migratory range; thus, statewide excluding arid southeast and northeast corner of California.
5. Project sponsor's name and address: Mr. Gary R. Alten, 8557 Hillside Road, Alta Loma, CA 91701.
6. General plan designation: varies.
7. Zoning: varies.
8. Description of project: (Describe the whole action involved, including but not limited to later phases of the project, and any secondary, support, or off-site features necessary for its implementation. Attach additional sheets if necessary.): Delisting the American peregrine falcon under provisions of California Endangered Species Act (CESA, Fish and Game Code, section 2050 et seq.)
9. Surrounding land uses and setting (briefly describe the project's surroundings): Statewide excluding arid southeast and northeast regions of the state with emphasis on coastal cliffs, wetlands with abundant prey species, granitic cliff faces and surrounding airspace of Sierra Nevada.
10. Other public agencies whose approval is required (e.g., permits, financing approval, or participation agreement.): None.

ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED:

The environmental factors checked below would be potentially affected by this project, involving at least one impact that is a "Potentially Significant Impact" as indicated by the checklist on the following pages. [NONE]

<input type="checkbox"/>	Aesthetics	<input type="checkbox"/>	Agriculture Resources	<input type="checkbox"/>	Air Quality
<input type="checkbox"/>	Biological Resources	<input type="checkbox"/>	Cultural Resources	<input type="checkbox"/>	Geology /Soils
<input type="checkbox"/>	Hazards & Hazardous Materials	<input type="checkbox"/>	Hydrology / Water Quality	<input type="checkbox"/>	Land Use / Planning
<input type="checkbox"/>	Mineral Resources	<input type="checkbox"/>	Noise	<input type="checkbox"/>	Population / Housing
<input type="checkbox"/>	Public Services	<input type="checkbox"/>	Recreation	<input type="checkbox"/>	Transportation/Traffic
<input type="checkbox"/>	Utilities / Service Systems	<input type="checkbox"/>	Mandatory Finding of Significance	<input type="checkbox"/>	Climate Change

DETERMINATION: (To be completed by the Lead Agency)

On the basis of this initial evaluation:

- ☐ I find that the proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.
- ☐ I find that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because revisions in the project have been made by or agreed to by the project proponent. A MITIGATED NEGATIVE DECLARATION will be prepared.

- ☐ I find that the proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.
- ☐ I find that the proposed project MAY have a "potentially significant impact" or "potentially significant unless mitigated" impact on the environment, but at least one effect 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and 2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. An ENVIRONMENTAL IMPACT REPORT is required, but it must analyze only the effects that remain to be addressed.
- ☐ I find that although the proposed project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed adequately in an earlier EIR or NEGATIVE DECLARATION pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier EIR or NEGATIVE DECLARATION, including revisions or mitigation measures that are imposed upon the proposed project, nothing further is required.

Signature_____

Date_____

Signature_____

Date_____

ENVIRONMENTAL ISSUES

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
I. AESTHETICS: <i>Would the project:</i>				
a. Have a substantial adverse effect on a scenic vista?				X
b. Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?				X
c. Substantially degrade the existing visual character or quality of the site and its surroundings?				X
d. Create a new source of substantial light or glare that would adversely affect day or nighttime views in the area?				X

Discussion

- a. No construction or physical changes are anticipated with the action.
- b. No construction or physical changes are anticipated with the action.
- c. No construction or physical changes are anticipated with the action.
- d. No construction or physical changes are anticipated with the action.

Mitigation Measure(s)

None required.

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
II. AGRICULTURE RESOURCES: <i>In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Dept. of Conservation as an optional model to use in assessing impacts on agriculture and farmland. Would the project:</i>				
a. Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?				X
b. Conflict with existing zoning for agricultural use, or a Williamson Act contract?				X
c. Involve other changes in the existing environment that, due to their location or nature, could result in conversion of Farmland, to non-agricultural use?				X

Discussion

- a. No prime farmland is associated with nesting sites; peregrines may forage or migrate over farmland. No physical changes are expected.
- b. No prime farmland is associated with nesting sites; peregrines may forage or migrate over farmland. No physical changes are expected.
- c. No prime farmland is associated with nesting sites; peregrines may forage or migrate over farmland. No physical changes are expected.

Mitigation Measure(s)

None required.

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
<p>III. CLIMATE CHANGE</p> <p>On June 1, 2005, Governor Arnold Schwarzenegger signed Executive Order S-3-05. The goal of this Executive Order is to reduce California's greenhouse gas (GHG) emissions to 2000 levels by 2010, to 1990 levels by 2020 and 80 percent below the 1990 levels by the year 2050. In 2006 this goal was reinforced with the passage of AB 32, the Global Warming Solutions Act of 2006. AB 32, among other requirements, sets the same overall GHG emissions reduction goals. Executive Order S-20-06 directs state agencies to begin implementing AB 32, including the recommendations made by the state's Climate Action Team. Because the American peregrine falcon is a "fully protected" species under state law, and "take" continues to be prohibited as a result of that designation, no change in protection is expected and thus no additional GHG emissions will result from the project as proposed.</p>				X

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
IV. AIR QUALITY <i>Where available, the significance criteria established by the applicable air quality management or air pollution control district may be relied upon to make the following determinations. Would the project:</i>				
a. Conflict with or obstruct implementation of the applicable air quality plan?				X
b. Violate any air quality standard or contribute substantially to an existing or projected air quality violation?				X
c. Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors)?				X
d. Expose sensitive receptors to substantial pollutant concentrations?				X
e. Create objectionable odors affecting a substantial number of people?				X

Discussion

- a. No physical construction or changes in land use patterns anticipated.
- b. No physical construction or changes in land use patterns anticipated.
- c. Existing non-attainment areas within state would not be affected by the project.
- d. The project would not release any pollutants nor would it alter population distribution or patterns of human activity.
- e. The project would not release any odors or expose people to odor sources.

Mitigation Measure(s)

None required.

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
V. BIOLOGICAL RESOURCES <i>Would the project:</i>				
a. Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the CA Department of Fish & Game or U.S. Fish & Wildlife Service?				X
b. Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations, or by the CA Department of Fish & Game or U.S. Fish & Wildlife Service?				X
c. Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?				X
d. Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?				X
e. Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?				X
f. Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?				X

Discussion

a. (Effect on sensitive species) Comrack and Logsdon (2008) provides detail regarding the distribution and status of the American peregrine falcon, recommends delisting the American peregrine falcon, and lists recommendations regarding management steps and monitoring to possibly be implemented in cooperation with other agencies and entities.

These actions will not have a significant impact on the environment related to effects on any species listed by the federal Endangered Species Act (ESA) or the California Endangered Species Act (CESA), or on other sensitive species. Information supporting this determination is presented below in two major discussions: 1) related to the American peregrine falcon, and 2) related to other species with overlapping habitat and ranges.

(1) American Peregrine Falcon

The proposed delisting will not adversely affect populations of American peregrine falcons, primarily because it will not lead to or allow any changes in the physical environment or in regulatory and land use planning involving the species. The overall setting in which American peregrine falcons exist has also changed in ways that reduce potential threats to the population. Factors that support this conclusion are listed below:

(a) The American peregrine falcon was delisted by the U.S. Fish and Wildlife Service (Service) under ESA in 1999 based on rangewide recovery and reduction of threats. The North American peregrine falcon population was estimated at 1400 pairs at the time of delisting (Mesta 1999). The breeding population in California has increased since listing in the 1970s and now meets the estimated historic population levels of between 100 to 300 pairs. The California population size was estimated at 215-246 pairs in 2007 (Comrack and Logsdon 2008). The American peregrine falcon is no longer an endangered or threatened species; the recommendations of the Department (Comrack and Logsdon 2008) and the delisting action of the Service (Mesta 1999) support this view.

(b) If delisted under CESA, the American peregrine falcon will continue to be a “fully protected” species under Fish and Game Code (FGC) section 3511 (b)(1). Therefore, whether or not the species is listed pursuant to CESA, the legal prohibition on “take” of the species, as defined in FGC section 86, will remain in effect. Additionally, the American peregrine falcon would continue to be protected under the federal Migratory Bird Treaty Act (16 U.S.C. section 704).

(c) The primary human-caused threats to the continued existence of the American peregrine falcon have been reduced such that the species has increased in numbers, range, and overall productivity. Consequently, the species has been delisted under ESA in 1999 and petitioned for delisting under CESA. Specifically, these threats have been reduced through:

(i) Ban on DDT use (except in rare cases authorized by the Environmental Protection Agency), and elimination of ocean dumping of DDT-laden wastewater and clean up of affected areas (See Appendix A-I for discussion on DDT);

(ii) Protection of key nesting and foraging habitats through established

protected areas, few of which existed when the American peregrine falcon was listed. These include, but are not limited to, the following: National Marine Sanctuaries (Channel Islands National Marine Sanctuary), National Parks and Monuments (Channel Islands National Park, Point Reyes National Seashore, California Coastal National Monument, Yosemite National Park), National Wildlife Refuges (San Diego National Wildlife Refuge, Tijuana Slough National Wildlife Refuge, Sacramento Valley National Wildlife Refuge Complex, Klamath Basin National Wildlife Refuge Complex, Humboldt Bay National Wildlife Refuge), State Parks and Reserves (including Salton Sea, Ano Nuevo, Big Sur area units) and Department of Fish and Game Ecological Reserves and Wildlife Areas (Morro Rock).

(iii) Protection and enhancement of habitat on military lands (Vandenberg Air Force Base, Camp Pendleton, Naval Amphibious Base Coronado), through memoranda of understanding with the Service and Integrated Natural Resources Management Plans.

In summary, the successful long-term increases in American peregrine falcon populations, combined with the continued protection afforded by other statutes and programs and with the reduction in threats to reproduction and habitat, support the conclusion that the proposed delisting will not have an adverse effect on the American peregrine falcon.

(2) Effect on Sensitive Species with Overlapping Habitat or Roosting Proximity

Delisting of the American peregrine falcon under the CESA would not negatively affect other CESA or ESA listed species, subspecies, or populations that share the same habitat because their continued protection does not depend upon American peregrine falcon-specific conservation measures or protections and because the American peregrine falcon would remain protected under the state “fully protected” species statute and the federal MBTA. Similarly, delisting is not expected to negatively affect other listed or non-listed species that nest or occur in the same habitats used by the American peregrine falcon.

The American peregrine falcon co-occurs with numerous sensitive species in California. According to Comrack and Logsdon (2008): “This is a species adapted to open habitats in all seasons. Peregrines show a preference for breeding sites in proximity to water with nearby vertical structure such as niches in cliffs, steep banks, and ledges to serve as nesting sites (Palmer 1988). An abundant food source (e.g., seabird colonies, waterfowl concentration, feral pigeons in urban areas) nearby is highly attractive to peregrines. Coastal cliffs and bluffs are favored for nesting in California as are the granitic outcroppings of the Sierra Nevada. Peregrines are also found in urban areas and use tall buildings and bridges and other structures for resting, foraging platforms, and breeding sites and were documented using these urban environments early in the 20th century.” See Appendix A-II for a list of other sensitive species (including State and federally listed species and species of special concern) that occupy the same habitats as the American peregrine falcon in California. In all cases, if the American peregrine falcon is delisted from CESA, it would not affect protections for other sensitive species because the American peregrine falcon is also a “fully protected species” pursuant to Fish and Game Code section 3511(b)(1). Any protection from “take” afforded by CESA will continue to exist pursuant to Fish and Game Code section 3511, as the same “take” definition applies both to species listed pursuant to CESA and fully protected species.

In summary, the proposed delisting of American peregrine falcon is not expected to have any

adverse effects on other sensitive species that share the same habitat or have overlapping habitat.

b. (Effect on riparian or sensitive natural community) The habitat used by American peregrine falcons in California consists of coastal bluffs and rocks, steep granitic cliffs, the airspace therein, coastal ecosystems and estuaries and inland water bodies for foraging; urban areas with tall buildings and abundant food supply (feral pigeons) are also suitable habitat. Many of these areas represent sensitive natural communities, but the proposed delisting will not alter the protection or planning attention associated with them. Coastal Act policies to reserve environmentally sensitive habitat areas, reflected in local coastal programs, and other protective programs will remain in effect. For these reasons, the proposed delisting will not affect riparian or other sensitive natural communities.

c. (Effect on wetlands) Habitat used for foraging by American peregrine falcons includes wetland areas—nearshore marine, harbors, estuaries, inland water bodies, and marshes as described in the immediately preceding paragraph. As discussed above, the proposed delisting will not have any effect on these areas.

d. (Fish or wildlife movement or nursery sites) The proposed delisting will not have any effect on fish or wildlife movement or nursery sites. To the extent that existing protection measures, other than CESA, restrict fishing or human activities for the purpose of improving American peregrine falcon breeding or other habitat, they may benefit other wildlife and fish as well.

e. (Conflict with local policies) In the areas occupied or used by the American peregrine falcon, local plans and policies are primarily those of federal agencies (National Park Service, Channel Islands National Marine Sanctuary, Bureau of Land Management), or state agencies (CDFG, California Department of Parks and Recreation). Plans and policies of these agencies already account for the sensitivity of habitat and conditions for American peregrine falcon and other species in these areas. Foraging and resting areas for American peregrine falcon also extend into areas under the control of local entities (cities, counties, harbor districts). Plans and policies of these local agencies are subject to consistency with the requirements and policies of the California Coastal Act, which require protection of environmentally sensitive habitat areas. The proposed delisting will have no effect on local plans and policies; it will neither increase nor decrease protection requirements and will not change the applicability of other state and federal laws and programs. The interagency cooperation, management, and monitoring that is suggested by CDFG as part of its delisting evaluation, may have some beneficial influences. These would include the generation of more data to evaluate the effects of unique influences on American peregrine falcon populations, and the promotion of more consistent management actions at the local agency and government level.

f. (Conflict with adopted HCP or other plan) The proposed delisting is consistent with delisting criteria included in the Pacific Coast Recovery Plan for the American Peregrine Falcon (USFWS 1982). The delisting evaluation report also recommends coordination and management activities. These recommendations are consistent with the California Wildlife Action Plan (CDFG 2007).

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
VI. CULTURAL RESOURCES <i>Would the project:</i>				
a. Cause a substantial adverse change in the significance of a historical resource as defined in §15064.5?				X
b. Cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5?				X
c. Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?				X
d. Disturb any human remains, including those interred outside of formal cemeteries?				X

Discussion

- a. The project will not lead to any physical construction or changes in the environment, and thus, will not affect any historic remains or resources.
- b. The project will not alter the importance of these resources and will not physically alter their condition or affect their protection under existing management plans.
- c. The project will not lead to any physical construction or changes in the environment, and thus, will not affect any paleontological remains or resources.
- d. The project will not lead to any physical construction or changes in the environment, and thus, will not affect any human remains that may be associated with cultural deposits.

Mitigation Measure(s)

None required.

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
VII. GEOLOGY AND SOILS <i>Would the project:</i>				
a. Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:				
i. Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.				X
ii. Strong seismic ground shaking?				X
iii. Seismic-related ground failure, including liquefaction?				X
iv. Landslides?				X
b. Result in substantial soil erosion or the loss of topsoil?				X
c. Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?				X
d. Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to life or property?				X
e. Have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater?				X

Discussion

- a. The project will not involve any new construction or physical changes, and will not influence land use patterns or human activities in a way that will expose people to an increased risk from any seismic related risk.
- b. The project will not involve any new construction or physical changes, and will not alter patterns of soil erosion or loss of topsoil.
- c. The project will not involve any new construction or physical changes, and will not influence land use patterns or human activities in a way that will expose people to an increased risk from any type of soil instability.
- d. The project will not involve any new construction or physical changes, and will not influence land use patterns or human activities in a way that will expose people to an increased risk from expansive soil.
- e. The project will not involve any new construction or physical changes, and will not influence land use patterns or human activities in a way that will rely on disposal of septic effluent.

Mitigation Measure(s)

None required.

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
VIII. HAZARDS AND HAZARDOUS MATERIALS <i>Would the project:</i>				
a. Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?				X
b. Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?				X
c. Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?				X
d. Be located on a site that is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?				X
e. For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area?				X
f. For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area?				X
g. Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?				X

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
h. Exposed people or structures to a significant risk of loss, injury, or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?				X

Discussion

- a. The project does not involve any physical changes or construction, and will not involve the use of any hazardous materials.
- b. The project does not involve any physical changes or construction, and will not involve the use of any hazardous materials.
- c. The project does not involve any physical changes or construction, and will not involve the use of any hazardous materials within one quarter mile of any school.
- d. The project does not involve any physical changes or construction, and will not influence the distribution of people or their activities. If there are any hazardous material sites within the foraging range of American peregrine falcon (such as within harbors and urban settings), they will not be affected in any manner by the project and no change in hazard would occur.
- e. Several public and other major airports are situated within American peregrine falcon habitat (San Diego, Los Angeles, and San Francisco International Airports are three examples, and military airports include Point Mugu and Vandenberg Air Force Base). Areas of influence defined in Airport Land Use Plans extend over the habitat used by American peregrine falcon. Since the project will not involve any construction and will not alter the pattern or intensity of any human use, it will not affect and will not be affected by any safety zones or activities at airports.
- f. It is presumed that there are several private airstrips within the range of the American peregrine falcon in California. As with public airports discussed above, the project will not increase or decrease safety hazards associated with these airports.
- g. Since the project will not involve any construction and will not alter the pattern or intensity of any human use, it will not influence any emergency response or evacuation plans.
- h. Since the project will not involve any construction and will not alter the pattern or intensity of any human use, it will not affect or be affected by hazards associated with wildfires.

Mitigation Measure(s)

None required

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
IX. HYDROLOGY AND WATER QUALITY <i>Would the project:</i>				
a. Violate any water quality standards or waste discharge requirements?				X
b. Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level that would not support existing land uses or planned uses for which permits have been granted)?				X
c. Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner that would result in substantial erosion or siltation on or off site?				X
d. Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner that would result in flooding on or off site?				X
e. Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?				X
f. Otherwise substantially degrade water quality?				X

g. Place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map?				X
h. Place within a 100-year flood hazard area structures that would impede or redirect flood flows?				X
i. Expose people or structures to a significant risk of loss, injury, or death involving flooding, including flooding as a result of the failure of a levee or dam?				X
j. Inundated by seiche, tsunami, or mudflow?				X

Discussion

- a. Since the project will not involve any construction or discharges of any type, it will not violate any discharge or water quality standards.
- b. Since the project will not involve any construction and will not influence the pattern or intensity of human use, it will not use or influence groundwater supplies in any way.
- c. Since the project will not involve any construction and will not influence the pattern or intensity of human use, it will not affect existing drainage patterns or have any influence on siltation.
- d. Since the project will not involve any construction and will not influence the pattern or intensity of human use, it will not affect existing drainage patterns or have any influence on runoff or flooding.
- e. Since the project will not involve any construction and will not influence the pattern or intensity of human use, it will not affect the capacity of any drainage improvements or lead to the introduction of any pollutants into runoff.
- f. Since the project does not involve any physical changes, it will not otherwise influence water quality.
- g. Since the project does not involve development of housing, or any construction, it will not place any structures within a mapped 100-year flood hazard area.
- h. Since the project does not involve construction of any structures, it will not place structures in a manner that would impede or redirect flood flows.
- i. Since the project does not involve construction of any structures, it will not place structures or people in areas subject to flooding from dam or levee failure.
- j. The habitat of American peregrine falcon includes nearshore areas that are subject to potential inundation by tsunamis. Since the project does not involve any construction or alternation of the pattern or intensity of human use, no adverse impacts would occur.

<p><u>Mitigation Measure(s)</u></p>
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<p>None required.</p>

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
X. LAND USE AND PLANNING <i>Would the project:</i>				
a. Physically divide an established community?				X
b. Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?				X
c. Conflict with any applicable habitat conservation plan or natural community conservation plan?				X

Discussion

- a. The project does not involve any physical construction or changes, so it cannot create any barriers or divisions within an established community.
- b. The project is consistent with applicable plans. See the discussion in Section 5, Compatibility with Existing Zoning and Plans, and the discussion in Section IV.e. Biological Resources - Compatibility with Plans, for details.
- c. The project is consistent with applicable habitat plans. See the discussion in Section IV, f. Biological Resources - Compatibility with HCPs, for details.

Mitigation Measure(s)

None required.

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
XI. MINERAL RESOURCES <i>Would the project:</i>				
a. Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?				X
b. Result in the loss of availability of a locally important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?				X

Discussion

- a. The project does not involve any construction or land alteration that would have any effect on mineral resources.
- b. The project does not involve any construction or land alteration that would have any effect on mineral resources.

Mitigation Measure(s)

None required.

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
XII. NOISE <i>Would the project result in:</i>				
a. Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?				X
b. Exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels?				X
c. A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?				X
d. A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?				X
e. For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?				X
f. For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels?				X

Discussion

- a. The project does not involve any construction and would not influence the pattern or intensity of human use, so it will have no effect on the exposure of people to noise levels.
- b. The project does not involve any construction and would not influence the pattern or intensity of human use, so it will have no effect on the exposure of people to ground borne vibration or noise.
- c. The project does not involve any construction and would not influence the pattern or intensity of human use, so it will have no permanent effect on ambient noise levels throughout the range of the American peregrine falcon.
- d. The project does not involve any construction, so it will have no temporary effect on ambient noise levels throughout the range of the American peregrine falcon.
- e. Several public and other major airports are situated within the range of the American peregrine falcon (San Diego, Los Angeles, and San Francisco International Airports are three examples, and military airports include Point Mugu and Vandenberg Air Force Base). Areas of influence and noise contours defined in Airport Land Use Plans extend over the habitats used by American peregrine falcon. Since the project will not involve any construction and will not alter the pattern or intensity of any human use, it will not alter any noise contours and will not change the exposure of any people to aircraft noise levels.
- f. Since the project will not involve any construction and will not alter the pattern or intensity of any human use, it will not alter any noise contours and will not change the exposure of any people to aircraft noise levels originating from private airstrips.

Mitigation Measure(s)

None required.

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
XIII. POPULATION AND HOUSING <i>Would the project:</i>				
a. Induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?				X
b. Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?				X
c. Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?				X

Discussion

- a. The project does not involve any new construction and will not influence the pattern or intensity of human activity. Therefore, it will not directly or indirectly induce population growth.
- b. The project does not involve any new construction and will not influence the pattern or intensity of human activity. Therefore, it will not displace any existing housing.
- c. The project does not involve any new construction and will not influence the pattern or intensity of human activity. Therefore, it will not displace any people.

Mitigation Measure(s)

None required.

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
XIV. PUBLIC SERVICES <i>Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:</i>				
a. Fire protection?				X
b. Police protection?				X
c. Schools?				X
d. Parks?				X
e. Other public facilities?				X

Discussion

- The project will not involve any construction or physical changes and will not alter the pattern or intensity of human uses. Therefore, it will not affect or require any increase in fire protection services.
- The project will not involve any construction or physical changes and will not alter the pattern or intensity of human uses. Therefore, it will not affect or require any increase in police services.
- The project will not involve any construction or physical changes and will not alter the pattern or intensity of human uses. Therefore, it will not affect or require any increase in school facilities.
- The project will not involve any construction or physical changes and will not alter the pattern or intensity of human uses. Therefore, it will not affect or require any increase in park and recreation facilities.
- The project will not involve any construction or physical changes and will not alter the pattern or intensity of human uses. Therefore, it will not affect or require any increase in any other public facilities, the construction of which would have significant environmental impacts.

Mitigation Measure(s)

None required.

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
XV. RECREATION				
a. Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?				X
b. Does the project include recreational facilities or require the construction or expansion of recreational facilities that might have an adverse physical effect on the environment?				X

Discussion

- a. The project would not affect the pattern or intensity of human uses, so it would not increase the use of neighborhood or regional park and recreation facilities and would not affect or accelerate the physical deterioration of any such facilities.
- b. The project does not include recreational facilities or the construction of recreational facilities.

Mitigation Measure(s)

None required.

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
XVI. TRANSPORTATION/TRAFFIC <i>Would the project:</i>				
a. Cause an increase in traffic that is substantial in relation to the existing traffic load and capacity of the street system (i.e., result in a substantial increase in either the number of vehicle trips, the volume to capacity ratio on roads, or congestion at intersections)?				X
b. Exceed, either individually or cumulatively, a level of service standard established by the county congestion management agency for designated roads or highways?				X
c. Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks?				X
d. Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?				X
e. Result in inadequate emergency access?				X
f. Result in inadequate parking capacity?				X
g. Conflict with adopted policies, plans, or programs supporting alternative transportation (e.g., bus turnouts, bicycle racks)?				X

Discussion

- a. The project does not involve any construction or physical changes and would not alter the pattern or intensity of human uses. Therefore, it will not cause any increase in traffic.
- b. Since the project will not generate any traffic, it will not contribute to any deterioration of level of service in any transportation facility.
- c. The project will not alter the pattern or intensity of human uses; thus, it will not affect air traffic in any way leading to any change in safety risks.
- d. The project does not involve any roadway construction or the use of any special equipment on roadways. Therefore, it will have no influence at all on hazards due to design features on roads.
- e. The project does not involve any construction or physical changes and would not alter the pattern or intensity of human uses. Therefore, it will not affect the adequacy of emergency access to any point.
- f. The project does not involve any construction or physical changes and would not alter the pattern or intensity of human uses. Therefore, it will not affect parking demand.
- g. The project does not involve any construction or physical changes and would not alter the pattern or intensity of human uses. Therefore, it will not conflict with any plans or policies related to the provision of alternate transportation facilities.

Mitigation Measure(s)

None required.

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
XVII. UTILITIES AND SERVICE SYSTEMS <i>Would the project:</i>				
a. Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?				X
b. Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?				X
c. Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?				X
d. Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed?				X
e. Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?				X
f. Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?				X
g. Comply with federal, state, and local statutes and regulations related to solid waste?				X

Discussion

- a. The project does not involve construction or any physical changes and will not alter the pattern or intensity of human uses. Therefore it will not affect wastewater treatment requirements of any Regional Water Quality Control Board.
- b. The project does not involve construction or any physical changes and will not alter the pattern or intensity of human uses. Therefore it will not require the construction of or expansion of any wastewater treatment facility.
- c. The project does not involve construction or any physical changes and will not alter the pattern or intensity of human uses. Therefore it will not require the construction of any stormwater drainage facilities.
- d. The project does not involve construction or any physical changes and will not alter the pattern or intensity of human uses. Therefore it will not lead to an increase in water consumption or affect any water entitlements.
- e. The project does not involve construction or any physical changes and will not alter the pattern or intensity of human uses. Therefore it will not affect the capacity at any existing wastewater treatment plant, either by itself or in conjunction with other projects.
- f. The project does not involve construction or any physical changes and will not alter the pattern or intensity of human uses. Therefore it will not generate any solid waste and will not require or affect solid waste disposal capacity at any facility.
- g. The project does not involve construction or any physical changes and will not alter the pattern or intensity of human uses. Therefore it will not have any effect on state and local statutes and regulations for the disposal of solid wastes.

Mitigation Measure(s)

None required.

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
XVIII. MANDATORY FINDINGS OF SIGNIFICANCE				
a. Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?				X
b. Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)?				X
c. Does the project have environmental effects that will cause substantial adverse effects on human beings, either directly or indirectly?				X

Discussion

- a. The project's effects on the American peregrine falcon and on other sensitive species that occur in the same habitat are discussed in Section IV. Biological Resources above. Based on the evaluation report by Comrack and Logsdon (2008) and the discussion in Section IV. above, the project will not have an adverse effect on any listed species and will not affect any sensitive habitats. Because the project does not involve any physical changes, it will have no effect on any cultural resources.
- b. Cumulative Impacts. The Service delisted the American peregrine falcon from the federal Endangered Species Act (ESA) in 1999. The following discussion compares and explains federal and state protection of the American peregrine falcon post-delisting. It shows that the combination of the federal delisting and the proposed state delisting would not result in any cumulative impacts under California law. "[A] cumulative impact of a project is an impact to which that project contributes and to which other projects contribute as well. The project must make some contribution to the impact; otherwise, it cannot be characterized as a cumulative impact of that project. (1 Kostka & Zischke, Practice Under the Cal. Environmental Quality Act (Cont. Ed. Bar 2003) § 13.36, p. 533.)" *Sierra Club v. The West Side Irrigation District, et al.*, 128 Cal.App. 4th 690.

A number of protections would remain in place for the American peregrine falcon after delisting. The Migratory Bird Treaty Act (MBTA) offers protection to the American peregrine falcon. The take of all migratory birds, including American peregrine falcons, is governed by the MBTA. The MBTA makes it unlawful to at any time, by any means or in any manner, to pursue, hunt, take, capture, kill, attempt to take, capture, or kill, possess, offer for sale, sell, offer to barter, barter, offer to purchase, purchase, deliver for shipment, ship, export, import, cause to be shipped, exported, or imported, deliver for transportation, transport or cause to be transported, carry or cause to be carried, or receive for shipment, transportation, carriage, or export, any migratory bird, any part, nest, or eggs of any such bird, or any product, whether or not manufactured, which consists, or is composed in whole or part, of any such bird or any part, nest, or egg thereof (16 U.S.C. section 703(a)). Peregrine falcons are among the migratory birds protected by the MBTA. The MBTA regulates the taking of migratory birds for educational, scientific, and recreational purposes.

Finally, under § 4(g) of the federal ESA, USFWS must "implement a system in cooperation with the states to monitor for not less than five years the status of all species that have recovered and been removed" from the list of species protected by the federal ESA. Monitoring of the American peregrine falcon breeding populations will be performed every three years through 2015. A subset of nesting sites shall be monitored in California, providing data on the status of the species in the state.

The American peregrine falcon is a fully protected bird pursuant to California Fish and Game Code § 3511(b)(1). "[F]ully protected birds or parts thereof may not be taken or possessed at any time" except "the Department may authorize the taking of those species for necessary scientific research, including efforts to recover fully protected, threatened, or endangered species, and may authorize the live capture and relocation of those species pursuant to a permit for the protection of livestock." FGC § 3511(a)(1).

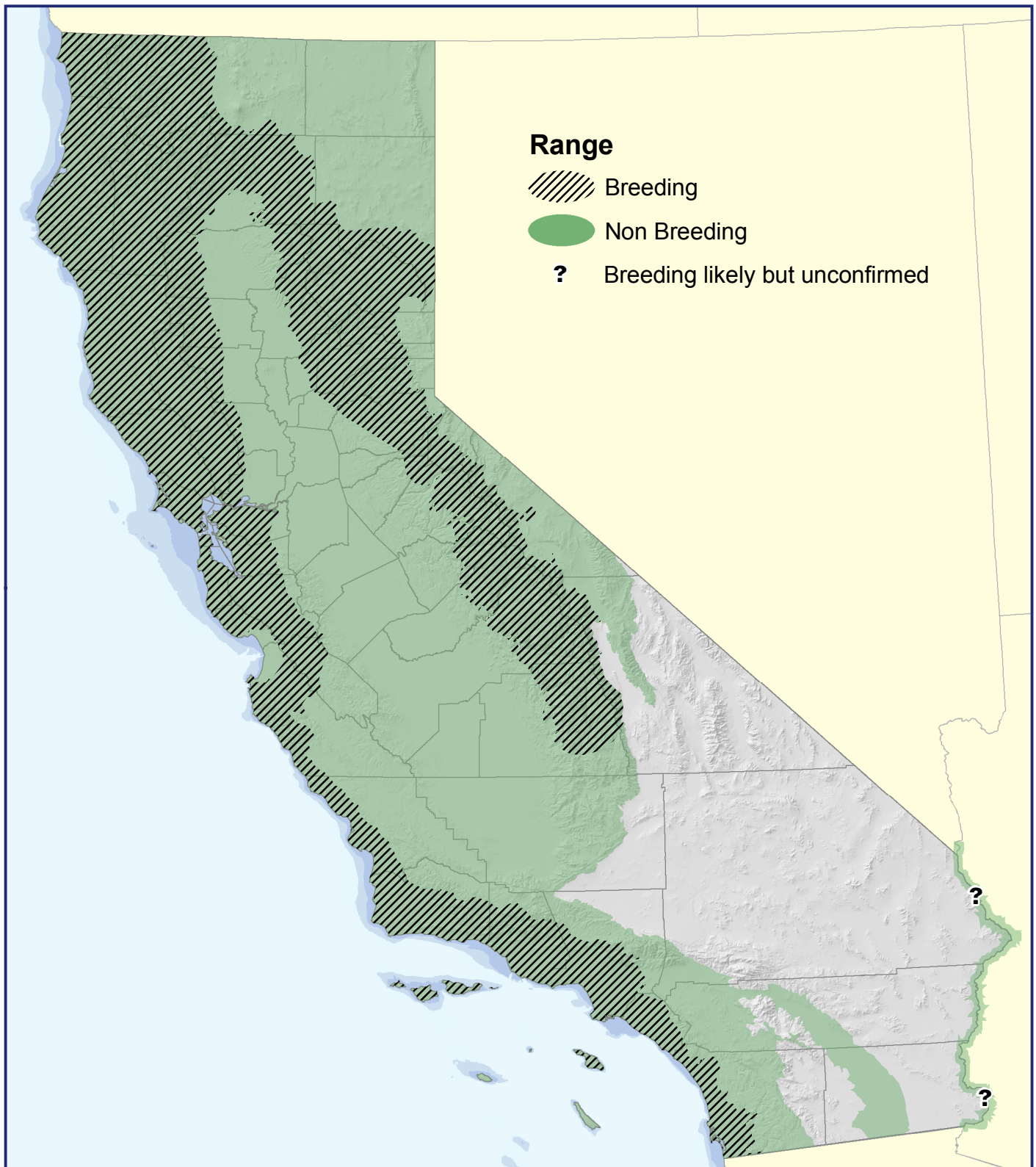
Based on our review of the potentially significant impacts of the proposed state delisting, there are no cumulative impacts that result from the proposed project. The American peregrine falcon is a fully protected species. Because the fully protected species statute also prohibits “take,” delisting under CESA will have no adverse impact to the falcon. Because there are no impacts associated with this project, the proposed State delisting has no cumulative impacts.

- c. The project does not involve construction or other actions that will directly or indirectly affect human beings; therefore, it has not impact in this regard.

Mitigation Measure(s)

None required.

Figure 1. Current American Peregrine Falcon (*Falco peregrinus anatum*) range in California



Appendix A

Supplemental Information and References Cited

The following pages contain supplemental information that provides more detail regarding information that is summarized in Section IV. Biological Resources of the Initial Study Checklist.

I. DDT: Successful reduction of the primary threat to American peregrine falcons

The primary threat to the American peregrine falcon at the time of listing under the ESA and CESA was widespread DDT contamination. The bioaccumulation of DDT and its metabolite DDE resulted in severe eggshell thinning and reproductive failure in American peregrine falcons (as well as in southern bald eagles and brown pelicans), causing a precipitous decline in their numbers (Cade et al. 1988). The following discussion is excerpted from the environmental documents (Initial Study, checklist and appendices) prepared by the CDFG for the delisting of the California brown pelican (E. Burkett, pers. comm.).

DDT was first synthesized in 1874 but large-scale manufacturing and usage as an insecticide did not begin until World War II. Although concerns about the effects of unregulated use on fish and wildlife were expressed by the Service and others starting in 1945 (USFWS 1945), DDT use accelerated and it became the top selling insecticide in the U.S. with a peak usage of 70,000,000 pounds in 1959. Although DDT gained wide use in agriculture, mosquito control, and domestic applications, mounting evidence of negative health effects on fish, wildlife, and humans led the newly formed Environmental Protection Agency to cancel its use in 1972 in the U.S. (Federal Register July 7, 1972 37:13369-13376). This almost total ban on use (except in public health or economic emergencies; production and export are still allowed) was a historic first step towards the recovery of the American peregrine falcon and other affected species. The threat of DDT contamination to peregrine falcons did not, however, cease with the 1972 ban. DDT continued to be manufactured in the U.S. and exported to other countries, which led to continued DDT wastewater pollution in California coastal waters. From 1947 to 1983, Montrose Chemical Corporation manufactured DDT at its plant near Torrance, California. It is estimated by the EPA that from the late 1950's to the early 1970's the plant discharged over 1,700 tons of DDT into Los Angeles sewers that emptied into the Pacific Ocean off White Point on the Palos Verdes Shelf. On December 19, 2000, the U.S. Department of Justice and the California Attorney General announced a \$73 million settlement with Montrose Chemical Corporation of California, Aventis CropScience USA Inc., Chris-Craft Industries Inc., and Atkemix Thirty-Seven Inc., companies which either owned or operated DDT-manufacturing plants in Los Angeles County. A \$140 million monitoring, cleanup, and mitigation program has been initiated by the EPA (<http://www.epa.gov/region09/features/pvshelf/links.html>). DDT contamination now rests in continental shelf sediments and is only biologically available to bottom feeding species typically not consumed by American peregrine falcons; however, the Channel Islands ecosystem still shows evidence of contamination and is the subject of long-term monitoring efforts.

A third, although lesser, source of DDT pollution persisted until 1988 because of DDT and related manufacturing impurities in a chemically similar compound: Dicofol (Kelthane). The concentration of DDT and DDT analogs in Dicofol was upwards of 20 percent (Cornell University Cooperative Extension Pesticide Management Education Program 1983; Risebrough et al. 1986). Because of concerns over its DDT content, the EPA began a Special Review of Dicofol in December 1983; published Proposed Notice of Intent to cancel registration of pesticide products containing Dicofol (49 FR 39820); and Dicofol was subsequently canceled in 1986. At the time, approximately 3 million pounds per year of Dicofol were applied in the U.S., primarily to citrus and cotton crops. After altering manufacturing processes (Nichols et al. 1987), the percentage of DDT in Dicofol was reduced to less than 0.1 percent and Dicofol was reregistered in 1988 (Environmental Protection Agency 1987, 1988).

As the historical summary above shows, from its first identification with pesticide induced eggshell thinning and health effects in peregrine falcons and other species, it took 43 years for DDT contamination to be successfully eliminated as a threat to California wildlife.

II. Sensitive species that co-occur with the American peregrine falcon in California

The following list includes 147 taxa currently listed as endangered, threatened, or species of special concern that co-occur in the same habitats as the American peregrine falcon in California. The American peregrine falcon is wide-ranging during winter and in migration, less so during the breeding season, thus the list of co-occurring sensitive species is large. However, none of the species listed below will be adversely affected by delisting the American peregrine falcon. The American peregrine falcon is now and will continue to be a “fully protected species” pursuant to Fish and Game Code section 3511(b)(1). Any protection from “take” afforded by CESA will continue to exist pursuant to Fish and Game Code section 3511, as the same “take” definition applies both to species listed pursuant to CESA and fully protected species.

Sensitive species that co-occur with the American peregrine falcon in California

Common Name	Scientific Name	Status*
Amphibians		
California tiger salamander	<i>Ambystoma californiense</i>	FT, SSC
Slender salamander	<i>Batrachoseps spp.</i>	SSC
Yellow-blotched salamander	<i>Ensatina eschscholtzii croceater</i>	SSC
Large-blotched salamander	<i>E. klauber</i>	SSC
Del Norte salamander	<i>Plethodon elongatus elongatus</i>	SSC
Southern torrent salamander	<i>Rhyacotriton variegatus</i>	SSC
Coast Range newt	<i>Taricha torosa torosa</i>	SSC
Santa Cruz long-toed salamander	<i>Ambystoma macrodactylum croceum</i>	SE, FE
Western tailed frog	<i>Ascaphus truei</i>	SSC
Yosemite toad	<i>Bufo canorus</i>	SSC
Arroyo toad	<i>B. microscaphus californicus</i>	FE, SSC
Northern red-legged frog	<i>Rana aurora aurora</i>	SSC

California red-legged frog	<i>R. a. draytonii</i>	FT, SSC
Foothill yellow-legged frog	<i>R. boylei</i>	SSC
Cascade frog	<i>R. cascadeae</i>	SSC
Sierra Madre yellow-legged frog	<i>R. muscosa</i>	FE, SSC
Sierra Nevada yellow-legged frog	<i>R. sierrae</i>	SSC
Western spadefoot	<i>Spea hammondi</i>	SSC
Turtles		
Western pond turtle	<i>Actinemys marmorata</i>	SSC
Reptiles		
California legless lizard	<i>Anniella pulchra</i>	SSC
Orange-throated whiptail	<i>Cnemidophorus hyperythrus beldingi</i>	SSC
Coronado skink	<i>Eumeces skiltonianus interparietalis</i>	SSC
Horned lizard	<i>Phrynosoma coronatum</i>	SSC
Island night lizard	<i>Xantusia riversiana</i>	FT
Northern red-diamond rattlesnake	<i>Crotalus ruber ruber</i>	SSC
Southern rubber boa	<i>Charina umbratica</i>	ST
San Bernardino mountain kingsnake	<i>Lampropeltis zonata parvirubra</i>	SSC
San Diego mountain kingsnake	<i>L. z. pulchra</i>	SSC
Alameda whipsnake	<i>Masticophis lateralis euryxanthus</i>	ST, FT
San Joaquin whipsnake	<i>M. flagellum ruddocki</i>	SSC
Santa Cruz Island gopher snake	<i>Pituophis catenifer pumilus</i>	SSC
Coast patch-nosed snake	<i>Salvadora hexalepis virgultea</i>	SSC
Two-striped garter snake	<i>Thamnophis hammondi</i>	SSC
San Francisco garter snake	<i>T. sirtalis tetrataenia</i>	SE, FE
South coast garter snake	<i>T. sirtalis ssp.</i>	SSC
Giant garter snake	<i>T. gigas</i>	ST, FT
Birds		
Brant	<i>Branta bernicla</i>	SSC
Tule greater white-fronted goose	<i>Anser albifrons elgasi</i>	SSC
Redhead	<i>Aythya americana</i>	SSC
Catalina California quail	<i>Callipepla californica catalinensis</i>	SSC
Mount Pinos sooty grouse	<i>Dendragapus fuliginosus howardi</i>	SSC
Fork-tailed storm-petrel	<i>Oceanodroma furcata</i>	SSC
Ashy storm-petrel	<i>O. homochroa</i>	SSC
Black storm-petrel	<i>O. melania</i>	SSC
California brown pelican	<i>Pelecanus occidentalis californicus</i>	SPD (SE), FPD (FE)
California condor	<i>Gymnogyps californianus</i>	SE, FE
Northern harrier	<i>Circus cyaneus</i>	SSC
Northern goshawk	<i>Accipiter gentilis</i>	SSC
Bald eagle	<i>Haliaeetus leucocephalus</i>	SE
Least bittern	<i>Ixobrychus exilis</i>	SSC
Yellow rail	<i>Coturnicops noveboracensis</i>	SSC
California black rail	<i>Laterallus jamaicensis coturniculus</i>	ST
California clapper rail	<i>Rallus longirostris obsoletus</i>	SE, FE
Light-footed clapper rail	<i>R. l. levipes</i>	SE, FE
Greater sandhill crane	<i>Grus Canadensis tabida</i>	ST
Lesser sandhill crane	<i>G. C. canadensis</i>	SSC
Mountain plover	<i>Charadrius montanus</i>	SSC
Western snowy plover	<i>C. alexandrinus nivosus</i>	FT, SSC
Black tern	<i>Chlidonias niger</i>	SSC
California least tern	<i>Sternula antillarum browni</i>	SE, FE
Gull-billed tern	<i>Gelochelidon nilotica</i>	SSC
Black skimmer	<i>Rynchops niger</i>	SSC

Marbled murrelet	<i>Brachyramphus marmoratus</i>	SE , FT
Xantus's murrelet	<i>Synthliboramphus hypoleucus</i>	ST
Cassin's auklet	<i>Ptychoramphus aleuticus</i>	SSC
Tufted puffin	<i>Fratercula cirrhata</i>	SSC
Burrowing owl	<i>Athene cunicularia</i>	SSC
Northern spotted owl	<i>Strix occidentalis caurina</i>	FT, SSC
California spotted owl	<i>S. o. occidentalis</i>	SSC
Great gray owl	<i>S. nebulosa</i>	SE
Long-eared owl	<i>Asio otus</i>	SSC
Short-eared owl	<i>A. flammeus</i>	SSC
Black swift	<i>Cypseloides niger</i>	SSC
Vaux's swift	<i>Chaetura vauxi</i>	SSC
Willow flycatcher	<i>Empidonax traillii</i>	SE
Southwestern willow flycatcher	<i>E. t. extimus</i>	SE, FE
Olive-sided flycatcher	<i>Contopus cooperi</i>	SSC
Vermilion flycatcher	<i>Pyrocephalus rubinus</i>	SSC
Coastal California gnatcatcher	<i>Poliophtila californica californica</i>	FT, SSC
Loggerhead shrike	<i>Lanius ludovicianus</i>	SSC
Gray vireo	<i>Vireo vicinior</i>	SSC
Catalina Hutton's vireo	<i>V. huttoni unitti</i>	SSC
Least Bell's vireo	<i>V. B. pusillus</i>	SE, FE
Purple martin	<i>Progne subis</i>	SSC
San Diego cactus wren	<i>Campylorhynchus brunneicapillus sandiegensis</i>	SSC
Clark's marsh wren	<i>Cistothorus palustris clarkae</i>	SSC
Le Conte's thrasher (San Joaquin population)	<i>Toxostoma lecontei</i>	SSC
Yellow warbler	<i>Dendroica petechia</i>	SSC
San Francisco common yellowthroat	<i>Geothlypis trichas sinuosa</i>	SSC
Yellow-breasted chat	<i>Icteria virens</i>	SSC
Summer tanager	<i>Piranga rubra</i>	SSC
Santa Cruz Is. rufous-crowned sparrow	<i>Aimophila ruficeps obscura</i>	SSC
Oregon vesper sparrow	<i>Poocetes gramineus affinis</i>	SSC
Belding's Savannah sparrow	<i>Passerculus sandwichensis beldingi</i>	SE
Large-billed Savannah sparrow	<i>P. s. rostratus</i>	SSC
Bryant's Savannah sparrow	<i>P. s. alaudinus</i>	SSC
Grasshopper sparrow	<i>Ammodramus savannarum</i>	SSC
Song sparrow ("Modesto")	<i>Melospiza melodia</i>	SSC
Suisun song sparrow	<i>M. m. maxillaris</i>	SSC
Samuels song sparrow	<i>M. m. samuelis</i>	SSC
Alameda song sparrow	<i>M. m. pusillula</i>	SSC
Channel Island song sparrow	<i>M. m. graminea</i>	SSC
Yellow-headed blackbird	<i>Xanthocephalus xanthocephalus</i>	SSC
Kern red-winged blackbird	<i>Agelaius phoeniceus aciculatus</i>	SSC
Tricolored blackbird	<i>A. tricolor</i>	SSC
Mammals		
Buena Vista Lake shrew	<i>Sorex ornatus relictus</i>	FE
Suisun shrew	<i>S. o. sinuosus</i>	SSC
Southern California saltmarsh shrew	<i>S. o. salicornicus</i>	SSC
Salt marsh wandering shrew	<i>S. vagrans halicoetes</i>	SSC
California leaf-nosed bat	<i>Macrotus californicus</i>	SSC
Lesser long-nosed bat	<i>Leptonycteris yerbabuenae</i>	FE
Townsend's big-eared bat	<i>Plecotus townsendii</i>	SSC
Big free-tailed bat	<i>Tadarida macrotis</i>	SSC

California mastiff bat	<i>Eumops perotis californicus</i>	SSC
Riparian brush rabbit	<i>Sylvilagus bachmani riparius</i>	SE, FE
Pygmy rabbit	<i>Brachylagus idahoensis</i>	SSC
Oregon snowshoe hare	<i>Lepus americanus klamathensis</i>	SSC
Sierra Nevada snowshoe hare	<i>L. a. tahoensis</i>	SSC
Western white-tailed hare	<i>L. townsendii townsendii</i>	SSC
Point Arena mountain beaver	<i>Aplodontia rufa nigra</i>	FE
Point Reyes mountain beaver	<i>A. r. phaea</i>	SSC
San Joaquin antelope squirrel	<i>Ammospermophilus nelsoni</i>	ST
Los Angeles pocket mouse	<i>Perognathus longimembris brevinasus</i>	SSC
Pacific pocket mouse	<i>P. l. pacificus</i>	FE
Salinas pocket mouse	<i>P. inornatus psammophilus</i>	SSC
Tehachapi pocket mouse	<i>P. alticola inexpectatus</i>	SSC
Giant kangaroo rat	<i>D. ingens</i>	SE, FE
Stephens' kangaroo rat	<i>D. stephensi</i>	ST, FE
San Bernardino kangaroo rat	<i>D. merriami parvus</i>	FE
Tipton kangaroo rat	<i>D. nitratoidea nitratoidea</i>	SE, FE
Fresno kangaroo rat	<i>D. n. exilis</i>	SE, FE
Short-nosed kangaroo rat	<i>D. n. brevinasus</i>	SSC
Southern marsh harvest mouse	<i>Reithrodontomys megalotis limicola</i>	SSC
Salt-marsh harvest mouse	<i>R. raviventris</i>	SE, FE
Riparian woodrat	<i>Neotoma fuscipes riparia</i>	FE
White-footed vole	<i>Arborimus albipes</i>	SSC
Red tree vole	<i>A. longicaudus</i>	SSC
Point Reyes jumping mouse	<i>Zapus trinotatus orarius</i>	SSC
Pacific fisher	<i>Martes pennanti pacifica</i>	SSC
Badger	<i>Taxidea taxus</i>	SSC
Channel Islands spotted skunk	<i>Spilogale gracilis amphiala</i>	SSC
San Joaquin kit fox	<i>V. macrotis mutica</i>	ST, FE
San Miguel Island fox	<i>Urocyon littoralis littoralis</i>	ST, FE
Santa Rosa Island fox	<i>U. l. santarosa</i>	ST, FE
Santa Cruz Island fox	<i>U. l. santacruzae</i>	ST, FE
Santa Catalina Island fox	<i>U. l. catalinae</i>	ST, FE
San Nicolas Island fox	<i>U. l. dickeyi</i>	ST

*Status key:

FE: federally listed endangered

FT: federally listed threatened

SE: state listed endangered

ST: state listed threatened

FPD: federally proposed for delisting

SPD: state proposed for delisting

SSC: species of special concern

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